

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MONDRIC BRADLEY,

PLAINTIFF

V.

NO. 4:06CV205-M-D

MDOC, et al.,

DEFENDANTS

OPINION DISMISSING CLAIMS

This matter is before the court, *sua sponte*, for consideration of dismissal. Plaintiff, an inmate currently incarcerated at the Mississippi State Penitentiary, files this *pro se* complaint pursuant to 42 U.S.C. § 1983. Plaintiff complains about his custodial classification. He also alleges, without elaboration, that he is disabled and includes some vague allegations about being denied use of medical equipment in the shower.¹

After carefully considering the contents of the *pro se* complaint and giving it the liberal construction required by *Haines v. Kerner*, 404 U.S. 519 (1972), this court has come to the following conclusion.

Inmates have neither a protectable property or liberty interest to any particular housing assignment or custodial classification, either under the United States Constitution or under Mississippi law. *Hewitt v. Helms*, 450 U.S. 460, 468 (1983); *Meachum v. Fano*, 427 U.S. 215, 224 (1976); *Neals v. Norwood*, 59 F.3d 530, 533 (5th Cir. 1995); *Wilson v. Budney*, 976 F.2d 957, 958 (5th Cir. 1992); *McCord v. Maggio*, 910 F.2d 1248, 1250 (5th Cir. 1990) (citations omitted); Miss. Code Ann. §§ 47-5-99 to -103 (1993). Prisoner classification is a matter squarely within the “broad discretion” of prison officials, “free from judicial intervention” except in

¹ Based on the exhibits submitted with his complaint, Plaintiff has not, however, exhausted the grievance procedure regarding the alleged denial of medical equipment.

extreme circumstances. *McCord*, 910 F.2d at 1250 (citations omitted). There is no indication that this case presents any extreme circumstances that would warrant the courts intervention.² Therefore, Plaintiff has failed to state a claim upon which relief may be granted. All remaining motions are denied as moot. A final judgment in accordance with this opinion will be entered.

THIS the 27th day of December, 2006.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE

² Though not formally granted, the facts of Plaintiff's proposed amended complaint were considered and were just as meritless as his original complaint.